

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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EDDYSTONE RAIL COMPANY, LLC,  
Plaintiff,

v.

JULIO RIOS and JEREMY GAMBOA,  
Defendants,

BRIDGER LOGISTICS, LLC, FERRELLGAS  
PARTNERS, L.P., and FERRELLGAS L.P.,

Defendants

Third-Party Plaintiffs,

v.

JAMEX MARKETING, LLC (f/k/a BRIDGER  
MARKETING, LLC), JAMEX TRANSFER  
HOLDINGS, LLC, JAMEX, LLC (f/k/a/ BRIDGER,  
LLC), JAMEX TRANSFER SERVICES, LLC  
(f/k/a BRIDGER TRANSFER SERVICES, LLC),  
JAMES BALLENGEE and JOHN DOES 1-10,  
Third-Party Defendants.

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CIVIL ACTION

No. 17-495

**ORDER**

**AND NOW**, this 6th day of February, 2018, upon consideration of Plaintiff Eddystone Rail Company's LLC's ("Eddystone") Motion to Dismiss Amended Counterclaims and to Strike Affirmative Defenses (Doc. Nos. 83, 88), and the Responses and Replies thereto, including Defendants Julio Rios' and Jeremy Gamboa's Notice of Joining Co-Defendants' Opposition to Plaintiff's Motion to Dismiss Counterclaims and Strike Affirmative Defenses, it is hereby **ORDERED** that Eddystone's Motion is **DENIED WITHOUT PREJUDICE** to Eddystone renewing its arguments at the motion for summary judgment stage of this matter.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY  
SENIOR JUDGE